

**IN THE CIRCUIT COURT OF JACKSON COUNTY  
FAMILY DIVISION/AT INDEPENDENCE**

IN THE MARRIAGE OF:

MCKENSY CUSIMANO  
3824 S. Crane St.  
Independence, MO 64055  
SSN: xxx-xx-0808

Petitioner,

and

GLEN CUSIMANO  
16218 E Mansion Circle  
Apartment 1104  
Independence, MO 64055  
SSN: xxx-xx-2804

Respondent.

Case No.: 1316-FC04723

Division: 6

**JOINT AFFIDAVIT OF PETITIONER AND RESPONDENT REQUESTING  
DISSOLUTION OF MARRIAGE PURSUANT TO RULE 68.3.1**

Petitioner and Respondent upon their individual oaths submit the following affidavit pursuant to Circuit Court Rule 68.3.1 to form a basis for the court's entering judgment in this case upon affidavit and without the necessity of a formal hearing.

1. The Petition for Dissolution of Marriage in this case was filed on or about the 23<sup>rd</sup> day of May, 2013.
2. Respondent was personally served on or about the 9<sup>th</sup> day of June, 2013.
3. Petitioner is represented by Belinda L. Harrison of Evans & Dixon, LLC, City Center Square, 1100 Main St., Suite 2000, Kansas City, Missouri 64105, (T) 816-841-7515.



4. Respondent is represented by Jessica Pierce of The O'Connor Law Firm, P.C., 521 Walnut St., Kansas City, Missouri 64106, (T) 816-842-1111.

5. Petitioner is now and was continuously for a period of time in excess of ninety (90) days immediately preceding the commencement of this proceeding, a resident of Jackson County, Missouri. Petitioner currently resides at 3824 Crane St., Jackson County, MO, 64055, and has been a resident of Jackson County, Missouri for nine (9) years.

6. Petitioner is self-employed by Cusimano Enterprises, Inc., 2345 Grand Blvd, Kansas City, Missouri, 64108, and the last four digits of her Social Security number are xxx-xx-0808.

7. Respondent is currently, and for a period of time in excess of ninety (90) days immediately preceding the commencement of this proceeding, a resident of Jackson County, Missouri. Respondent currently resides at 16218 E. Mansion Circle, Apt. # 1104, Independence, Jackson County, MO 64055, and has been a resident of Jackson County for ten (10) years.

8. Respondent is unemployed and the last four digits of his Social Security number are 2804.

9. The parties are both individuals over the age of 18 years.

10. Petitioner and Respondent were married on the 30<sup>th</sup> day of September, 2007, in the city of Kansas City, Missouri, and said marriage is registered in Jackson County, Missouri.

11. Petitioner and Respondent were separated on or about April 9, 2013.

12. Petitioner and Respondent believe that there is no reasonable likelihood that their marriage can be preserved and, therefore, believe that the marriage is irretrievably broken.

13. Petitioner is not now pregnant.

14. Neither Petitioner nor Respondent is currently serving on active duty of the Armed Forces of the United States or any of its allies.

15. Petitioner and Respondent's Statements of Income and Expenses, Statements of Marital and Non-marital Assets and Debts, and the Form 14 are attached to this affidavit and incorporated herein by reference.

16. There was one child born of the marriage, to wit: Gianni Cusimano, age 4, SSN - xxx-xx-6608. The minor child has resided, from birth until April 9, 2013, with both Petitioner and Respondent in Independence, Jackson County, Missouri. From April 10, 2013, through the present, the minor child resides with Petitioner at 3824 S. Crane St., Independence, Jackson County, Missouri 64055. Further, the child has resided solely with Petitioner and Respondent in the State of Missouri for a period in excess of six (6) months prior to the commencement of this action and, thus, Missouri is the home state of the minor child.

17. Petitioner and Respondent have not participated as a party, or witness, or in any other capacity, in any other proceeding concerning the custody or visitation of the minor child in this or any other state nor do they have any knowledge of any proceeding that could affect the current proceeding, including proceedings for enforcement and proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions concerning the parties or the minor child; nor do they have any knowledge of any person not a party to this proceeding who has physical custody or claims to have rights of legal custody, physical custody, or visitation with respect to the child.

18. Petitioner and Respondent have entered into a Parenting Plan which is set forth in its entirety in the contemporaneously herein filed Judgment and Decree of Dissolution of Marriage by Affidavit incorporated herein by reference.

19. The presumed amount calculated for child support pursuant to the Civil Procedure Form No. 14, and Missouri Supreme Court Rule 88.01, yields an amount of Four Hundred Ninety-Three and 00/100 Dollars per month, but after consideration of all relevant factors, that amount is rebutted as being unjust and inappropriate. Petitioner and Respondent believe it is in the best interest of the minor child for Respondent to pay Petitioner Five Hundred and 00/100 Dollars (\$500) per month for the support of the minor child. Said sum shall be paid via wage withholding through the Family Support Payment Center as Trustee for Petitioner, PO Box 109002, Jefferson City, Missouri 65110.

20. The parties have entered into a written agreement for the division of their property which includes all assets and debts and identifies and divides the marital property and debts and sets apart to each party his or her non-marital property. This agreement is set forth in its entirety in the contemporaneously herein filed Judgment and Decree of Dissolution of Marriage by Affidavit.

21. Both Petitioner and Respondent waive any claim for spousal maintenance from the other. Petitioner and Respondent acknowledge that waiver precludes the Court from subsequently ordering spousal maintenance.

22. Petitioner and Respondent are unaware of any genuine issue as to any material fact in this proceeding.

23. Petitioner and Respondent both waive their individual right to receive ten (10) days notice prior to the entry of Judgment and Decree of Dissolution of Marriage by Affidavit.

24. Each party is to pay their respective attorney's fees and litigation costs incurred in this matter.



25. The filing fee and court costs are to be paid by Petitioner, namely the filing fee, which has been paid.

McKensy Cusimano  
McKensy Cusimano

\_\_\_\_\_  
Glen Cusimano

STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF JACKSON                 )

Now on this 27 day of February, 2014, before me, a Notary Public, personally appeared McKensy Cusimano, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

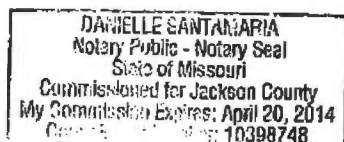
McKensy Cusimano  
McKensy Cusimano

Subscribed and sworn to before me this 27 day of February, 2014.

Danielle Santamaria  
NOTARY PUBLIC

My Commission Expires:

April 20, 2014



STATE OF MISSOURI )  
 ) ss.  
COUNTY OF JACKSON )

Now on this 24 day of FEBRUARY, 2014, before me, a Notary Public, personally appeared Glen Cusimano, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Glen Cusimano  
Glen Cusimano

Subscribed and sworn to before me this 24 day of FEBRUARY 2014.

J. Russell Ford  
NOTARY PUBLIC

My Commission Expires:

1-7-2017

